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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,675	06/29/2000	George Robert Hood	9010	2619
26890	7590 11/18/2004		EXAMINER	
JAMES M. STOVER NCR CORPORATION			RUDY, ANDREW J	
	1700 SOUTH PATTERSON BLVD, WHQ4		ART UNIT	PAPER NUMBER
DAYTON, OH 45479			3627	
			DATE MAILED: 11/18/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	5				
Office Action Community	09/608,675	HOOD, GEORGE	ROBERT				
Office Action Summary	Examiner	Art Unit	-				
T. MAIL DIO DATE (1)	Andrew Joseph Rudy	3627					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be time y within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed s will be considered timel the mailing date of this or D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on 13 A 2a) This action is FINAL. 2b) This 3) Since this application is in condition for alloware closed in accordance with the practice under E	action is non-final.		e merits is				
Disposition of Claims							
4) Claim(s) 1-66 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-66 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.							
Application Papers							
 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. 							
Priority under 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
Attachment(s)	•						
1) Notice of References Cited (PTO-892)	4) Interview Summary						
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 	Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:		O-152)				

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DETAILED ACTION

1. Claims 1-33 are pending.

2. Applicant's August 13, 2004 response has been received. Thus, it is concluded Applicant has no prior art that predates the filing date of the present application.

Claim Rejections - 35 USC § 103

3. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price et al. "College Accounting, Seventh Edition" (hereafter "Price")

Price discloses, e.g. pgs 28-41, 529,531, 966-982 (Fig. 27-5), a method measuring profit based on the factors of net interest revenue, other revenues (Fig. 27-5, line 4, "Operating Revenues"), direct expenses (Fig. 27-5, line 22, "Direct Expenses"), indirect expenses (Fig. 27-5, line 30, "Indirect Expenses"), and risk (Fig. 27-5, line 6, "Less Sales Returns and Allowances"), all set up to take advantage of flexible business rules.

Official Notice is taken that performing financial processing using computer software is common knowledge in the art.

To have provided a method of performing financial processing for an account using software for a computer measuring profit based on the factors of net interest revenue, other revenues, direct expenses, indirect expenses and risk, all set up to take advantage of flexible

business rules the business rules to calculate known variations of one of the factors, e.g. net interest revenue, would have been obvious to one of ordinary skill in the art. Doing such would incorporate common knowledge data along with common knowledge software.

To have provided a method of performing financial processing for an account using software for a computer measuring profit based on the factors of net interest revenue, other revenues, direct expenses, indirect expenses and risk, all set up to take advantage of flexible business rules the business rules to calculate known variations of one of the factors, e.g. risk provisions, would have been obvious to one of ordinary skill in the art. Doing such would incorporate common knowledge data along with common knowledge software.

Applicant's August 13, 2004 and February 2, 2004 REMARKS have been reviewed, but are not convincing. In short, Applicant's profitability calculations are common knowledge variance for defining total income less total expenses. The account, event and organization attributes, e.g. future losses, direct and indirect expenses, claimed have been common knowledge criteria used within the business community for a period of time far exceeding Applicant's filing date. To have incorporated such common knowledge in the profitability calculations for Price, as modified by Official Notice, would have been obvious to one of ordinary skill in the art.

- 6. Further pertinent reference of interest is noted on the attached PTO-892.
- 7. Applicant's October 27, 2003 and February 2, 2004 Information Disclosure Statements have been reviewed. Note attached PTO-1449's.

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Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 703-308-7808. The examiner can normally be reached on Tuesday thru Friday, 7:30 a.m until 6 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Robert P. Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Joseph Rody